

Simplification of EU export control licensing requirements



In brief...

The European Parliament and European Council have published a Regulation amending the existing Dual-use Export Control Regulation¹. This much anticipated amendment simplifies licensing requirements and reduces the administrative burden and time delays associated with applying for and maintaining licences.

What exports does it apply to?

The Regulation introduces five additional EU General Export Authorisations ("GEA")². GEAs allow exporters to export specified controlled goods to specific destinations under certain conditions without the requirement to obtain individual or global export licences. The additional GEAs cover certain hardware, software and technology under the following headings:

- Exports of certain dual-use items to certain destinations;
- Export after repair / replacement;
- Temporary export for exhibition or fair;
- Telecommunications; and
- Chemicals.

The wording, conditions and scope of these authorisations differ somewhat to the proposal put forth by the Commission in 2008 and should be fully examined to assess the applicability to your business.

In addition to the introduction of the new GEAs, the Regulation also extends the scope of the pre-existing GEA EU001 to cover exports of goods to Liechtenstein. It should also be noted that there are two additional export control list numbers which are no longer covered by GEA EU001.

What do you need to do now?

The Regulation provides little time for exporters to adequately prepare, coming into force on 7 January 2012 (the 30th day following its publication in the Official Journal).

To avail of these authorisations as an exporter, you should:

1. Assess if any of the GEAs apply to your business by carefully examining the conditions of use and the scope of the authorisations (e.g. items specifically included / excluded and destinations covered), and the associated registration and reporting requirements;
2. Ensure internal controls are in place to manage licence conditions and reporting requirements;
3. Update licence management processes and procedures, including instructions to customs agents; and
4. Ensure you are registered with the national licensing authorities to avail of the authorisations.

Call us to discuss whether this might apply to your business...

We can help you to assess if these simplified licensing arrangements apply to your business. We can also provide support in ensuring that your internal controls and licence management processes are sufficient to manage your on-going export control requirements.

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¹ Council Regulation (EC) No. 428/2009

² The new GEAs build on the existing Community GEA EU001

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